

SERFF Tracking Number:	NCCI-125664171	State:	Arkansas
Filing Company:	NCCI	State Tracking Number:	EFT \$50
Company Tracking Number:	P-1406		
TOI:	16.0 Workers Compensation	Sub-TOI:	16.0004 Standard WC
Product Name:	P-1406 - WITHDRAWAL OF ENDORSEMENT WC 00 01 13 A AND REVISIONS TO ENDORSEMENTS WC 00 04 21 B AND WC 00 04 22		
Project Name/Number:	/		

Filing at a Glance

Company: NCCI

Product Name: P-1406 - WITHDRAWAL OF
ENDORSEMENT WC 00 01 13 A AND
REVISIONS TO ENDORSEMENTS WC 00 04
21 B AND WC 00 04 22

TOI: 16.0 Workers Compensation

Sub-TOI: 16.0004 Standard WC

SERFF Status: Closed

Co Tr Num: P-1406

State Tr Num: EFT \$50

State Status: Fees verified and
received

Filing Type: Form

Co Status:

Reviewer(s): Betty Montesi, Carol
Stiffler, Brittany Yielding

Authors: Lesley O'Brien, Alison
Herwig, Frank Gnolfo, Terri
Robinson

Disposition Date: 05/27/2008

Date Submitted: 05/23/2008

Disposition Status: Approved

Effective Date Requested (New): 09/01/2008

Effective Date (New): 09/01/2008

Effective Date Requested (Renewal): 09/01/2008

Effective Date (Renewal):

State Filing Description:

General Information

Project Name:

Status of Filing in Domicile:

Project Number:

Domicile Status Comments:

Reference Organization:

Reference Number:

Reference Title:

Advisory Org. Circular:

Filing Status Changed: 05/27/2008

State Status Changed: 05/27/2008

Deemer Date:

Corresponding Filing Tracking Number:

Filing Description:

This item withdraws the Terrorism Risk Insurance Program Reauthorization Act Endorsement (WC 00 0113 A), and updates the Domestic Terrorism, Earthquakes, and Catastrophic Industrial Accidents Premium Endorsement (WC 00 04

SERFF Tracking Number: NCCI-125664171 State: Arkansas
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 Project Name/Number: /

21 B), and the Foreign Terrorism Premium Endorsement (WC 00 04 22) to reflect certain changes required to address losses from “terrorism” and “catastrophes (other than certified acts of terrorism).”

Company and Contact

Filing Contact Information

Terri Robinson, State Relations Executive terri_robinson@ncci.com
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 Perryville, AR 72126 (561) 893-5655[FAX]

Filing Company Information

NCCI CoCode: State of Domicile: Florida
 901 Peninsula Corporate Circle Group Code: Company Type:
 Boca Raton, FL 33487 Group Name: State ID Number:
 (561) 893-3186 ext. [Phone] FEIN Number: 65-0439698

Filing Fees

Fee Required? Yes
 Fee Amount: \$50.00
 Retaliatory? No
 Fee Explanation:
 Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
NCCI	\$50.00	05/23/2008	20475940

SERFF Tracking Number:	NCCI-125664171	State:	Arkansas
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Project Name/Number:	/		

Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved	Carol Stiffler	05/27/2008	05/27/2008

Amendments

Item	Schedule	Created By	Created On	Date Submitted
Filing Memorandum	Supporting Document	Lesley O'Brien	05/23/2008	05/23/2008

State: *Arkansas*

State Tracking Number: EFT \$50

Company Tracking Number: P-1406

Sub-TOI: 16.0004 *Standard WC*

Product Name: P-1406 - WITHDRAWAL OF ENDORSEMENT WC 00 01 13 A AND REVISIONS TO ENDORSEMENTS WC 00 04 21 B AND WC 00 04 22

Project Name/Number: /

Disposition

Disposition Date: 05/27/2008

Effective Date (New): 09/01/2008

Effective Date (Renewal):

Status: Approved

Comment:

Rate data does NOT apply to filing.

SERFF Tracking Number: NCCI-125664171 State: Arkansas
 Filing Company: NCCI State Tracking Number: EFT \$50
 Company Tracking Number: P-1406
 TOI: 16.0 Workers Compensation Sub-TOI: 16.0004 Standard WC
 Product Name: P-1406 - WITHDRAWAL OF ENDORSEMENT WC 00 01 13 A AND REVISIONS TO ENDORSEMENTS WC 00 04 21 B AND WC 00 04 22
 Project Name/Number: /

Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Supporting Document	Filing Memorandum	Approved	Yes
Form	TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT ENDORSEMENT	Approved	Yes
Form	CATASTROPHE (OTHER THAN CERTIFIED ACTS OF TERRORISM) PREMIUM ENDORSEMENT	Approved	Yes
Form	TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT DISCLOSURE ENDORSEMENT	Approved	Yes

SERFF Tracking Number: NCCI-125664171 State: Arkansas
Filing Company: NCCI State Tracking Number: EFT \$50
Company Tracking Number: P-1406
TOI: 16.0 Workers Compensation Sub-TOI: 16.0004 Standard WC
Product Name: P-1406 - WITHDRAWAL OF ENDORSEMENT WC 00 01 13 A AND REVISIONS TO ENDORSEMENTS WC 00 04 21 B AND WC
00 04 22
Project Name/Number: /

Amendment Letter

Amendment Date:

Submitted Date: 05/23/2008

Comments:

Filing memorandum is attached.

Changed Items:

Supporting Document Schedule Item Changes:

User Added -Name: Filing Memorandum

Comment:

Filing Memorandum - P-1406.pdf

SERFF Tracking Number: NCCI-125664171 State: Arkansas

Filing Company: NCCI State Tracking Number: EFT \$50

Company Tracking Number: P-1406

TOI: 16.0 Workers Compensation Sub-TOI: 16.0004 Standard WC

Product Name: P-1406 - WITHDRAWAL OF ENDORSEMENT WC 00 01 13 A AND REVISIONS TO ENDORSEMENTS WC 00 04 21 B AND WC 00 04 22

Project Name/Number: /

Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Approved	TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT ENDORSEMENT	WC 00 01 13 A	1/2008	Endorsement/Amendment/Conditions	Replaced Form #:0.00 WC 00 01 13 A Previous Filing #: P-1405		P-1406 Exh 1.pdf
Approved	CATASTROPHE (OTHER THAN CERTIFIED ACTS OF TERRORISM) PREMIUM ENDORSEMENT	WC 00 04 21 C	1/2008	Endorsement/Amendment/Conditions	Replaced Form #:0.00 WC 00 04 21 B Previous Filing #: P-1405		P-1406- Exh 2.pdf
Approved	TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT DISCLOSURE ENDORSEMENT	WC 00 04 22 A	1/2006	Endorsement/Amendment/Conditions	Replaced Form #:0.00 WC 00 04 22 Previous Filing #: B-1398		P-1406 Exh 3.pdf

**ITEM P-1406—WITHDRAWAL OF ENDORSEMENT WC 00 01 13 A AND REVISIONS TO
ENDORSEMENTS WC 00 04 21 B AND WC 00 04 22**

**EXHIBIT 1
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

~~TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT ENDORSEMENT (WC 00 01 13 A)~~

~~This endorsement addresses the requirements of the Terrorism Risk Insurance Act of 2002 as amended and extended by the Terrorism Risk Insurance Program Reauthorization Act of 2007.~~

~~Definitions~~

~~The definitions provided in this endorsement are based on and have the same meaning as the definitions in the Act. If words or phrases not defined in this endorsement are defined in the Act, the definitions in the Act will apply.~~

~~“Act” means the Terrorism Risk Insurance Act of 2002, which took effect on November 26, 2002, and any amendments thereto resulting from the Terrorism Risk Insurance Program Reauthorization Act of 2007.~~

~~“Act of Terrorism” means any act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State, and the Attorney General of the United States as meeting all of the following requirements:~~

- ~~a. The act is an act of terrorism.~~
- ~~b. The act is violent or dangerous to human life, property or infrastructure.~~
- ~~c. The act resulted in damage within the United States, or outside of the United States in the case of the premises of United States missions or certain air carriers or vessels.~~
- ~~d. The act has been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.~~

~~“Insured Loss” means any loss resulting from an act of terrorism (including an act of war, in the case of workers compensation) that is covered by primary or excess property and casualty insurance issued by an insurer if the loss occurs in the United States or at the premises of United States missions or to certain air carriers or vessels.~~

~~“Insurer Deductible” means, for the period beginning on January 1, 2008, and ending on December 31, 2014, an amount equal to 20% of our direct earned premiums, over the calendar year immediately preceding the applicable Program Year.~~

~~“Program Year” refers to each calendar year between January 1, 2008 and December 31, 2014, as applicable.~~

~~Limitation of Liability~~

~~The Act limits our liability to you under this policy. If aggregate Insured Losses exceed \$100,000,000,000 in a Program Year and if we have met our Insurer Deductible, we are not liable for the payment of any portion of the amount of Insured Losses that exceeds \$100,000,000,000; and for aggregate Insured Losses up to \$100,000,000,000, we will pay only a pro-rata share of such Insured Losses as determined by the Secretary of the Treasury.~~

~~Policyholder Disclosure Notice~~

- ~~1. Insured Losses would be partially reimbursed by the United States Government. If the aggregate industry Insured Losses exceeds \$100,000,000 in a Program Year, the United States Government would pay 85% of our Insured Losses that exceed our Insurer Deductible.~~
- ~~2. Notwithstanding item 1 above, the United States Government will not make any payment under the Act for any portion of Insured Losses that exceeds \$100,000,000,000.~~

**ITEM P-1406—WITHDRAWAL OF ENDORSEMENT WC 00 01 13 A AND REVISIONS TO
ENDORSEMENTS WC 00 04 21 B AND WC 00 04 22**

**EXHIBIT 1 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

- ~~3. The premiums charged for the coverage for Insured Losses under this policy are included in the amounts shown in Item 4 of the Information Page or in the Schedules in the Domestic Terrorism, Earthquakes, and Catastrophic Industrial Accidents Premium Endorsement (WC 00 04 21 B) and the Foreign Terrorism Premium Endorsement (WC 00 04 22), attached to this policy.~~

**ITEM P-1406—WITHDRAWAL OF ENDORSEMENT WC 00 01 13 A AND REVISIONS TO
ENDORSEMENTS WC 00 04 21 B AND WC 00 04 22**

EXHIBIT 2**FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE****CATASTROPHE (OTHER THAN CERTIFIED ACTS OF TERRORISM) PREMIUM ENDORSEMENT (WC
00 04 21 C)**

This endorsement is notification that your insurance carrier is charging premium to cover the losses that may occur in the event of a Catastrophe (other than Certified Acts of Terrorism) as that term is defined below. Your policy provides coverage for workers compensation losses caused by a Catastrophe (other than Certified Acts of Terrorism). This premium charge does not provide funding for Certified Acts of Terrorism contemplated under the Terrorism Risk Insurance Program Reauthorization Act Disclosure Endorsement (WC 00 04 22 A), attached to this policy.

For purposes of this endorsement, the following definitions apply:

- Catastrophe (other than Certified Acts of Terrorism) : Any single event, resulting from an Earthquake, Noncertified Act of Terrorism, or Catastrophic Industrial Accident, which results in aggregate workers compensation losses in excess of \$50 million.
- Earthquake: The shaking and vibration at the surface of the earth resulting from underground movement along a fault plane or from volcanic activity.
- Noncertified Act of Terrorism: An event that is not certified as an Act of Terrorism by the Secretary of Treasury pursuant to the Terrorism Risk Insurance Act of 2002 (as amended) but that meets all of the following criteria:
 - a. It is an act that is violent or dangerous to human life, property, or infrastructure;
 - b. The act results in damage within the United States, or outside of the United States in the case of the premises of United States missions or air carriers or vessels as those terms are defined in the Terrorism Risk Insurance Act of 2002 (as amended); and
 - c. It is an act that has been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.
- Catastrophic Industrial Accident: A chemical release, large explosion, or small blast that is localized in nature and affects workers in a small perimeter the size of a building.

The premium charge for the coverage your policy provides for workers compensation losses caused by a Catastrophe (other than Certified Acts of Terrorism) is shown in Item 4 of the Information Page or in the Schedule below.

Schedule**State****Rate****Premium****Note:**

**ITEM P-1406—WITHDRAWAL OF ENDORSEMENT WC 00 01 13 A AND REVISIONS TO
ENDORSEMENTS WC 00 04 21 B AND WC 00 04 22**

EXHIBIT 2 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE

1. The company may show additional column(s) in the schedule in order to include necessary information.

**ITEM P-1406—WITHDRAWAL OF ENDORSEMENT WC 00 01 13 A AND REVISIONS TO
ENDORSEMENTS WC 00 04 21 B AND WC 00 04 22**

**EXHIBIT 3
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT DISCLOSURE ENDORSEMENT
(WC 00 04 22 A)**

This endorsement addresses the requirements of the Terrorism Risk Insurance Act of 2002 as amended and extended by the Terrorism Risk Insurance Program Reauthorization Act of 2007. It serves to notify you of certain limitations under the Act, and that your insurance carrier is charging premium for losses that may occur in the event of an Act of Terrorism.

Your policy provides coverage for workers compensation losses caused by Acts of Terrorism, including workers compensation benefit obligations dictated by state law. Coverage for such losses is still subject to all terms, definitions, exclusions, and conditions in your policy, and any applicable federal and/or state laws, rules, or regulations.

Definitions

The definitions provided in this endorsement are based on and have the same meaning as the definitions in the Act. If words or phrases not defined in this endorsement are defined in the Act, the definitions in the Act will apply.

“Act” means the Terrorism Risk Insurance Act of 2002, which took effect on November 26, 2002, and any amendments thereto resulting from the Terrorism Risk Insurance Program Reauthorization Act of 2007.

“Act of Terrorism” means any act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State, and the Attorney General of the United States as meeting all of the following requirements:

- a. The act is an act of terrorism.
- b. The act is violent or dangerous to human life, property or infrastructure.
- c. The act resulted in damage within the United States, or outside of the United States in the case of the premises of United States missions or certain air carriers or vessels.
- d. The act has been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

“Insured Loss” means any loss resulting from an act of terrorism (and, except for Pennsylvania, including an act of war, in the case of workers compensation) that is covered by primary or excess property and casualty insurance issued by an insurer if the loss occurs in the United States or at the premises of United States missions or to certain air carriers or vessels.

“Insurer Deductible” means, for the period beginning on January 1, 2008, and ending on December 31, 2014, an amount equal to 20% of our direct earned premiums, over the calendar year immediately preceding the applicable Program Year.

“Program Year” refers to each calendar year between January 1, 2008 and December 31, 2014, as applicable.

Limitation of Liability

The Act limits our liability to you under this policy. If aggregate Insured Losses exceed \$100,000,000,000 in a Program Year and if we have met our Insurer Deductible, we are not liable for the payment of any portion of the amount of Insured Losses that exceeds \$100,000,000,000; and for aggregate Insured Losses up to

**ITEM P-1406—WITHDRAWAL OF ENDORSEMENT WC 00 01 13 A AND REVISIONS TO
ENDORSEMENTS WC 00 04 21 B AND WC 00 04 22**

EXHIBIT 3 (CONT'D)

FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE

\$100,000,000,000, we will pay only a pro rata share of such Insured Losses as determined by the Secretary of the Treasury.

Policyholder Disclosure Notice

1. Insured Losses would be partially reimbursed by the United States Government. If the aggregate industry Insured Losses exceed \$100,000,000 in a Program Year, the United States Government would pay 85% of our Insured Losses that exceed our Insurer Deductible.
2. Notwithstanding item 1 above, the United States Government will not make any payment under the Act for any portion of Insured Losses that exceed \$100,000,000,000.
3. The premium charge for the coverage your policy provides for Insured Losses is included in the amount shown in Item 4 of the Information Page or in the Schedule below.

Schedule

State

Rate

Premium

<i>SERFF Tracking Number:</i>	<i>NCCI-125664171</i>	<i>State:</i>	<i>Arkansas</i>
<i>Filing Company:</i>	<i>NCCI</i>	<i>State Tracking Number:</i>	<i>EFT \$50</i>
<i>Company Tracking Number:</i>	<i>P-1406</i>		
<i>TOI:</i>	<i>16.0 Workers Compensation</i>	<i>Sub-TOI:</i>	<i>16.0004 Standard WC</i>
<i>Product Name:</i>	<i>P-1406 - WITHDRAWAL OF ENDORSEMENT WC 00 01 13 A AND REVISIONS TO ENDORSEMENTS WC 00 04 21 B AND WC 00 04 22</i>		
<i>Project Name/Number:</i>	<i>/</i>		

Rate Information

Rate data does NOT apply to filing.

SERFF Tracking Number: NCCI-125664171 State: Arkansas
Filing Company: NCCI State Tracking Number: EFT \$50
Company Tracking Number: P-1406
TOI: 16.0 Workers Compensation Sub-TOI: 16.0004 Standard WC
Product Name: P-1406 - WITHDRAWAL OF ENDORSEMENT WC 00 01 13 A AND REVISIONS TO ENDORSEMENTS WC 00 04 21 B AND WC
00 04 22
Project Name/Number: /

Supporting Document Schedules

Satisfied -Name: Uniform Transmittal Document-
Property & Casualty **Review Status:** Approved 05/27/2008

Comments:

Attachment:

AR NAIC P&C Transmittal.pdf

Satisfied -Name: Filing Memorandum **Review Status:** Approved 05/27/2008

Comments:

Attachment:

Filing Memorandum - P-1406.pdf

Property & Casualty Transmittal Document

1. Reserved for Insurance Dept. Use Only	2. Insurance Department Use only	
	a. Date the filing is received:	
	b. Analyst:	
	c. Disposition:	
	d. Date of disposition of the filing:	
	e. Effective date of filing:	
	New Business	
	Renewal Business	
	f. State Filing #:	
	g. SERFF Filing #:	
h. Subject Codes		

3. Group Name					Group NAIC #
4. Company Name(s)	Domicile	NAIC #	FEIN #	State #	

5. Company Tracking Number	
-----------------------------------	--

Contact Info of Filer(s) or Corporate Officer(s) [include toll-free number]

6. Name and address	Title	Telephone #s	FAX #	e-mail
7. Signature of authorized filer				
8. Please print name of authorized filer				

Filing information (see General Instructions for descriptions of these fields)

9. Type of Insurance (TOI)				
10. Sub-Type of Insurance (Sub-TOI)				
11. State Specific Product code(s)(if applicable)[See State Specific Requirements]				
12. Company Program Title (Marketing title)				
13. Filing Type	<input type="checkbox"/> Rate/Loss Cost <input type="checkbox"/> Rules <input type="checkbox"/> Rates/Rules <input type="checkbox"/> Forms <input type="checkbox"/> Combination Rates/Rules/Forms <input type="checkbox"/> Withdrawal <input type="checkbox"/> Other (give description)			
14. Effective Date(s) Requested	New:		Renewal:	
15. Reference Filing?	<input type="checkbox"/> Yes <input type="checkbox"/> No			
16. Reference Organization (if applicable)				
17. Reference Organization # & Title				
18. Company's Date of Filing				
19. Status of filing in domicile	<input type="checkbox"/> Not Filed <input type="checkbox"/> Pending <input type="checkbox"/> Authorized <input type="checkbox"/> Disapproved			

Property & Casualty Transmittal Document—

20.	This filing transmittal is part of Company Tracking #	
21.	Filing Description [This area can be used in lieu of a cover letter or filing memorandum and is free-form text]	

[illegible]

***Refer to the each state's checklist for additional state specific requirements (i.e. # of additional copies required, other state specific forms, etc.)

FORM FILING SCHEDULE

(This form must be provided ONLY when making a filing that includes forms)

(Do not refer to the body of the filing for the forms listing, unless allowed by state.)

1.	This filing transmittal is part of Company Tracking #				
2.	This filing corresponds to rate/rule filing number (Company tracking number of rate/rule filing, if applicable)				
3.	Form Name /Description/Synopsis	Form # Include edition date	Replacement Or withdrawn?	If replacement, give form # it replaces	Previous state filing number, if required by state
01			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
02			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
03			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
04			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
05			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
06			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
07			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
08			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
09			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
10			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		

PC FFS-1

RATE/RULE FILING SCHEDULE

(This form must be provided ONLY when making a filing that includes rate-related items such as Rate; Rule; Rate & Rule; Reference; Loss Cost; Loss Cost & Rule or Rate, etc.)

(Do not refer to the body of the filing for the component/exhibit listing, unless allowed by state.)

1.	This filing transmittal is part of Company Tracking #	
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2.	This filing corresponds to form filing number (Company tracking number of form filing, if applicable)	
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☐ Rate Increase ☐ Rate Decrease ☐ Rate Neutral (0%)

3.	Filing Method (Prior Approval, File & Use, Flex Band, etc.)	
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4a.	Rate Change by Company (As Proposed)
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Company Name	Overall % Indicated Change (when applicable)	Overall % Rate Impact	Written premium change for this program	# of policyholders affected for this program	Written premium for this program	Maximum % Change (where required)	Minimum % Change (where required)

4b.	Rate Change by Company (As Accepted) For State Use Only
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Company Name	Overall % Indicated Change (when applicable)	Overall % Rate Impact	Written premium change for this program	# of policyholders affected for this program	Written premium for this program	Maximum % Change	Minimum % Change

5.	Overall Rate Information (Complete for Multiple Company Filings only)
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		COMPANY USE	STATE USE
5a	Overall percentage rate indication (when applicable)		
5b	Overall percentage rate impact for this filing		
5c	Effect of Rate Filing – Written premium change for this program		
5d	Effect of Rate Filing – Number of policyholders affected		

6.	Overall percentage of last rate revision	
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7.	Effective Date of last rate revision	
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8.	Filing Method of Last filing (Prior Approval, File & Use, Flex Band, etc.)	
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9.	Rule # or Page # Submitted for Review	Replacement or withdrawn?	Previous state filing number, if required by state
01		[] New [] Replacement [] Withdrawn	
02		[] New [] Replacement [] Withdrawn	
03		[] New [] Replacement [] Withdrawn	

FILING MEMORANDUM

ITEM P-1406—WITHDRAWAL OF ENDORSEMENT WC 00 01 13 A AND REVISIONS TO ENDORSEMENTS WC 00 04 21 B AND WC 00 04 22

(To be effective 12:01 a.m. on September 1, 2008 applicable to new and renewal policies.)

PURPOSE

This item withdraws the Terrorism Risk Insurance Program Reauthorization Act Endorsement (WC 00 01 13 A), and updates the Domestic Terrorism, Earthquakes, and Catastrophic Industrial Accidents Premium Endorsement (WC 00 04 21 B), and the Foreign Terrorism Premium Endorsement (WC 00 04 22) to reflect certain changes required to address losses from “terrorism” and “catastrophes (other than certified acts of terrorism).”

BACKGROUND

In response to the Terrorism Risk Insurance Act of 2002 (“TRIA” or the “Act”) and the Terrorism Risk Insurance Extension Act of 2005 (“TRIEA”), NCCI filed items B-1383, B-1393, B-1398, P-1392, and P-1404, which implemented variations of a TRIA Disclosure Endorsement, Foreign Terrorism Premium Endorsement, and Domestic Terrorism, Earthquakes, and Catastrophic Industrial Accidents Premium Endorsement. At the time these endorsements were created, it was determined that two separate endorsements were necessary for foreign and domestic terrorism because the Act’s definition of terrorism did not include domestic terrorism.

Congress has now (December 26, 2007) enacted the Terrorism Risk Insurance Program Reauthorization Act of 2007 (“TRIPRA”), which amends the definition of “act of terrorism” to include domestic terrorism. Due to the short time frame for compliance, NCCI filed Items B-1405 and P-1405 in response to TRIPRA, to update the rule reference and disclosure requirements in the TRIA Disclosure Endorsement and the Domestic Terrorism, Earthquakes, and Catastrophic Industrial Accidents Premium Endorsement.

After receiving feedback from the industry and upon further review, it has been determined that both domestic and foreign terrorism should be reflected in the same endorsement. In addition, the information contained in the disclosure endorsement should be incorporated in the terrorism premium endorsement. These changes will allow carriers to provide only one TRIPRA endorsement.

Accordingly, this item will remove acts of domestic terrorism from the Domestic Terrorism, Earthquakes, and Catastrophic Industrial Accidents Premium Endorsement and include them in the Terrorism Risk Insurance Program Reauthorization Act Disclosure Endorsement (formerly the Foreign Terrorism Premium Endorsement). Secondly, the disclosure endorsement will be eliminated and the information will be incorporated in the Terrorism Risk Insurance Program Reauthorization Act Disclosure Endorsement. Finally, the Domestic Terrorism, Earthquakes, and Catastrophic Industrial Accidents Premium Endorsement will be renamed the Catastrophe (other than Certified Acts of Terrorism) Premium Endorsement

PROPOSAL

It is proposed that:

1. The Terrorism Risk Insurance Program Reauthorization Act Endorsement (WC 00 01 13 A) be withdrawn and the disclosure information be included on the Terrorism Risk Insurance Program Reauthorization Act Disclosure Endorsement (formerly the Foreign Terrorism Premium Endorsement) (WC 00 04 22 A)

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FILING MEMORANDUM

ITEM P-1406—WITHDRAWAL OF ENDORSEMENT WC 00 01 13 A AND REVISIONS TO ENDORSEMENTS WC 00 04 21 B AND WC 00 04 22

2. The Foreign Terrorism Premium Endorsement (WC 00 04 22) be revised to:
 - a. Change the title of the endorsement to "Terrorism Risk Insurance Program Reauthorization Act Disclosure Endorsement"
 - b. Remove references to foreign terrorism,
 - c. Incorporate the information from the Terrorism Risk Insurance Program Reauthorization Act Endorsement (WC 00 01 13 A)
3. The Domestic Terrorism, Earthquakes, and Catastrophic Industrial Accidents Premium Endorsement (WC 00 04 21 B) be revised to:
 - a. Change the title of the endorsement to "Catastrophe (other than Certified Acts of Terrorism) Premium Endorsement"
 - b. Remove references to domestic terrorism, and
 - c. Revise the definition of "catastrophe," and
 - d. Add the definition of "noncertified act of terrorism"

Additionally, this item is being filed in conjunction with Item B-1407—Terrorism and Catastrophe (Other Than Certified Acts of Terrorism), which proposes that, effective September 1, 2008, changes be made to the manual rules, statistical code labels, miscellaneous value labels, and miscellaneous values for terrorism to reflect that acts of terrorism now include domestic terrorism. This item and Item B-1407 should be adopted concurrently.

IMPACT

There is no change in premium as a result of this item.

IMPLEMENTATION

The attached exhibits outline the changes required to the Terrorism Risk Insurance Program Reauthorization Act Endorsement, the Domestic Terrorism, Earthquakes, and Catastrophic Industrial Accidents Premium Endorsement, and the Foreign Terrorism Premium, which will be located in NCCI's ***Forms Manual of Workers Compensation and Employers Liability Insurance***.

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